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EMERGENCY APPLICATION

March 9, 2017

Honorable Steven L. Tiscione
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201
Via ECF

Re: John Scott Et Al v. City of New York, Et Al
16 cv 00834

Your Honor:

I am counsel for plaintiffs in the above-entitled matter. If this communication does not squarely fit within Your Honor's rules I ask for some leeway due to extenuating circumstances.

I had a quadruple bypass performed February 13 and two related surgeries and I have been out of the office for an extended period. I am recovering but not fully back to work. However, due to an exigent circumstance I have been trying, with no cooperation from my adversary, to clear up one important matter.

Briefly, on April 2, 2014 plaintiffs claim that the defendants illegally entered plaintiffs' apartment, physically abused several people and falsely arrested three of the plaintiffs and maliciously prosecuted two of them. One of the beatings was so severe that the defendants initially thought they had killed plaintiff Johnny Scott. Plaintiff Michael Mejia testified on January 11, 2017 at his deposition. To date I do not have his transcript. He testified in detail about a woman officer who abused his sickly mother. I have been requesting the name of this officer and the defendants refuse to return my calls or respond to my emails and refuse to provide me the name-which should be simple with the detailed description of the officer Mr. Mejia provided at his deposition.

April 2, 2017 is the deadline to name this officer. I firmly believe my adversary is intentionally avoiding me in order to not provide this name.

While I may not be well enough to attend an in person conference as of yet, I respectfully request either a telephone conference or an Order that this name be provided immediately and plaintiffs be granted leave to amend only to the extent of adding this new defendant.

Respectfully submitted,

/s/

Fred Lichtmacher

cc: Paul Hasan Johnson
Assistant Corporation Counsel
New York City Law Department
100 Church Street
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VIA ECF